



PATENT  
Atty. Docket No. SYT-003  
(7817/8)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): McGill et al.

SERIAL NO.: 08/023,091

GROUP NO.: 2316

FILED: February 26, 1993

EXAMINER: Kreiss, J.

TITLE: Disk Operating System Backup and Recovery System

RECEIVED  
APR 26 1995  
GROUP 2300

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Honorable Commissioner of Patents and Trademarks, Box AF, Washington, DC 20231 on this 18 day of April, 1995.

April 18, 1995 \_  
Date of Signature  
and of Mail Deposit

*Patricia Jimenez*  
Patricia Jimenez

Honorable Commissioner of Patents and Trademarks  
Box AF  
Washington, D.C. 20231

Sir:

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.
2. Applicant is
  - ☐ a small entity -- verified statement:
    - ☐ attached.
    - ☐ already filed.
  - ☒ other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- if a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

- a. ☐ Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

<u>Extension</u> <u>(months)</u>	<u>Fee for other than</u> <u>Small Entity</u>	<u>Fee for</u> <u>Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 370.00	\$185.00
<input type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00

Fee \$ 0.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- a. ☐ An extension for \_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_s deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 0.00

or

- b. ☒ Applicant, believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for petition and fee for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY			OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMEND.		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	33	MINUS	20	= 0	x 11 =	\$		x 22 =	\$ 0.00
INDEP.	4	MINUS	4	= 0	x 38 =	\$		x 76 =	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 120 =	\$		+ 240 =	\$ 0.00
					TOTAL ADD. FEE	\$		TOTAL ADD. FEE	\$ 0.00

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims original filed.

(complete (c) or (d) as applicable)

- c. ☒ No additional fee for claims is required.

or

- d. ☐ Total additional fee for claims required \$ \_\_\_\_\_

### FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ \_\_\_\_\_

- ☐ Charge Account No. 20-0531 the sum of \$ \_\_\_\_\_

A duplicate of this transmittal is attached.

### FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period was expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

6. ☒ If any additional extension and/or fee is required, charge Account No. 20-0531.

AND/OR

- ☒ If any additional fee for the claims is required, charge Account No. 20-0531.

Respectfully submitted,



Steven M. Bauer  
Attorney for Applicant  
Registration No. 31,481

Date: April 18, 1995

TESTA, HURWITZ & THIBEAULT  
Exchange Place  
53 State Street  
Boston, Massachusetts 02109  
Tel: (617) 248-7594  
Fax: (617) 248-7100